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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,888	08/26/2003	Hitoshi Ueda	03514/LH	7834
1933	7590	07/07/2006	EXAMINER	
FRISHAUF, HOLTZ, GOODMAN & CHICK, PC 220 Fifth Avenue 16TH Floor NEW YORK, NY 10001-7708			PIZIALI, JEFFREY J	
			ART UNIT	PAPER NUMBER
			2629	

DATE MAILED: 07/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Interview Summary</b>	Application No.	Applicant(s)	
	10/649,888	UEDA, HITOSHI	
	Examiner	Art Unit	
	Jeff Piziali	2629	

All participants (applicant, applicant's representative, PTO personnel):

(1) Jeff Piziali. (3)\_\_\_\_\_.

(2) Leonard Holtz (Registration No. 22,974). (4)\_\_\_\_\_.

Date of Interview: 29 June 2006.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: proposed new claim 16.

Identification of prior art discussed: Powers et al (US 5,469,540 A).


Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
Examiner's signature, if required 6/29/06

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: A proposed new claim 16 was faxed to the examiner prior to the interview. Mr. Holtz asked for the examiner's thoughts on the proposed new claim. The examiner explained that the proposed claim language appeared upon initial inspection to provide a further scope refinement of pending claim language, which well might overcome the cited art of record. However, before knowing for sure, the examiner would require additional consideration of any new formal claim language. Mr. Holtz expressed the intent of filing a formal response.



29 June 2006

**FRISHAUF HOLTZ GOODMAN & CHICK P.C.**

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**FACSIMILE COVER SHEET**

DATE: June 29, 2006

TO: Jeffrey J. Piziali

FACSIMILE NO.: 571-273-7678

FROM: Douglas Holtz

NO. OF PAGES  
INCLUDING THIS PAGE: 4

SERIAL NO.: 10/649,888

OUR REF. : 03514/LH

MESSAGE: Attached is a draft new claim, which has been prepared to attempt to clarify the differences between the claimed present invention and the cited references, and some comments with respect to the draft new claim and the cited reference.

I look forward to receiving any comments or suggestions you may have.

Douglas Holtz  
Reg. No. 33,902

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C O M M E N T S

Claim 16 has been prepared to even more clearly recite the features of the present invention.

In particular, according to new independent claim 16, a region rearranging section rearranges the plurality of overlapping regions on the display screen based on at least one attribute of the plurality of regions stored in the region table.

Even though the regions are overlapping and are arranged based on the attributes stored in the table, however, with the structure of the claimed present invention a desired one of the regions can still be selected easily and intuitively.

More specifically, according to claim 16, an inside selection decision section selects one region by deciding whether or not the coordinate designated by the coordinate input device is located inside the region, while a border selection decision section selects one region by deciding whether or not the coordinate designated by the coordinate input device is located on a borderline defining a periphery of the region. Thus, with the structure of claim 16 one of the overlapping regions can be selected either by designating a position inside the borders of the region or by designating the border of the region.

In addition, according to claim 16, an editing section moves the selected region or changes a size thereof. With the structure of claim 16, therefore, it is possible to, for example, select the desired region to be moved when the region is selected by designating a coordinate the inside of the region, and it is



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possible to select a desired region to have its size changed by designating a coordinate on the border of the region.

Still further, according to claim 16, whether or not a region is selected is indicated by a selection attribute thereof in the region table, and according to claim 16 a selected state clearing section is provided which changes the selection attribute of every region in the region table to null. With this structure, the selection of a region is customizable.

By contrast, it is respectfully submitted that Powers et al (USP 5,469,540) merely discloses "access and presentation windows [that] 'float' above all other layered windows being displayed regardless of the application currently being executed by the user" (abstract). Thus, the "selected" window 310 pointed to by the Examiner in Fig. 25 of Powers et al is merely an always-floating "presentation window." According to Powers et al, by using the floating presentation window 310, two windows can be simultaneously acted upon.

It is respectfully submitted, therefore, that Powers et al does not disclose, teach or suggest rearranging and selecting windows in the manner of the claimed present invention. And, in fact, since Powers et al discloses the access and presentation windows as being floating to be active for a user regardless of the application being run, Powers et al clearly does not disclose, teach or suggest a selected state clearing section which changes the selection attribute of every region in the region table to null.

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**PROPOSED NEW CLAIM**

16. (New) A region selection device which selects one region from among a plurality of overlapping regions displayed on a display screen, the device comprising:

a region table which stores attributes of the plurality of regions displayed on the display screen, including a selection attribute of each respective region that indicates whether or not the respective region is selected;

a coordinate input device for designating a coordinate defined in the display screen;

a region rearranging section for rearranging the plurality of overlapping regions on the display screen based on at least one attribute of the plurality of regions stored in the region table;

an inside selection decision section which selects one region by deciding whether or not the coordinate designated by the coordinate input device is located inside the region;

a border selection decision section which selects one region by deciding whether or not the coordinate designated by the coordinate input device is located on a borderline defining a periphery of the region;

an editing section which moves the selected region or changes a size thereof; and

a selected state clearing section which changes the selection attribute of every region in the region table to null.